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**MAY 12 2005**

**PATENT**  
Attorney Docket No. 101.0053-01000  
Customer No. 22882

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	Confirmation No.: 4993
Gary Karlin Michelson	)	
Serial No.: 10/047,545	)	Group Art Unit: 3764
Filed: January 16, 2002	)	Examiner: Michael Brown
For: THREADED FRUSTO-CONICAL	)	
INTERBODY SPINAL FUSION	)	
IMPLANTS	)	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

In reply to the Office Action dated February 10, 2005, the period for reply having been extended for one month by a request for extension and fee payment filed concurrently herewith, please amend the application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 7 of this paper.

05/13/2005 EABUBAK1 00000049 501066 10047545

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Amendment 5-12-05.doc

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**FACSIMILE TRANSMITTAL**

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**TO:**

**Name:** Mail Stop AMENDMENT  
Art Unit 3764/Examiner Michael Brown

**Firm:** U.S. Patent & Trademark Office

**Fax No.:** 703-872-9306

**Subject:** U.S. Patent Application No. 10/047,545

Gary Karlin Michelson

Filed: January 16, 2002

**THREADED FRUSTO-CONICAL INTERBODY**

**SPINAL FUSION IMPLANTS**

Attorney Docket No. 101.0053-01000

Customer No. 22882

Confirmation No.: 4993

**FROM:**

**Name:** Amedeo F. Ferraro

**Phone No.:** 310-286-9800

**No. of Pages (including this):** 35

**Date:** May 12, 2005

**Confirmation Copy to Follow:** NO

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**Message:****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; \$300.00 total amount to cover the \$120 one-month extension fee and \$180 IDS fee is to be charged to Deposit Account No. 50-1066), Amendment, and Information Disclosure Statement and Form PTO-1449 with 1 document including translation are being facsimile transmitted to the U.S. Patent and Trademark Office on May 12, 2005.

  
Sandra L. Blackmon

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FORM PTO-1083

Attorney Docket No.: 101.0053-01000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson

Serial No: 10/047,545

Filed: January 16, 2002

For: THREADED FRUSTO-CONICAL  
INTERBODY SPINAL FUSION IMPLANTS

Confirmation No.: 4993

Art Unit: 3764

Examiner: Michael Brown

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MAY 12 2005

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a reply to the Office Action dated February 10, 2005 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a one-month extension of time to respond to the above office action.
- ☐ An Information Disclosure Statement and Form PTO-1449 with 1 document including translation are enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR		(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	40	-	70	--	0	LG=\$50 SM=\$25	\$50	\$ 0
INDEPENDENT CLAIMS FEE	2	-	3	---	0	LG=\$200 SM=\$100	\$200	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS						LARGE ENTITY FEE = \$380 SMALL ENTITY FEE = \$180		\$ 0
TOTAL								\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" in THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" in THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- ☒ The total amount of \$300.00 to cover the \$120 one-month extension of time fee and \$180 IDS fee is to be charged to Deposit Account No. 50-1066.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. A copy of this sheet is enclosed.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLPBy: Amedeo E. Ferraro  
Registration No. 37,129

Date: May 12, 2005

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Transmittal of Amendment DOC